

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

ONEBEACON AMERICA INSURANCE
COMPANY,

Plaintiff and Appellant,

v.

FIREMAN'S FUND INSURANCE
COMPANY et al.,

Defendants and Respondents.

B209526

(Los Angeles County
Super. Ct. No. BC340802)

ORDER MODIFYING OPINION
AND DENYING REHEARING
[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on June 24, 2009, be modified as follows:

On page 10, delete "ICW" before the word "agent" in the first sentence of the second full paragraph, so the sentence reads:

But ICW continued to refuse Emma's tender of defense until Emma provided ICW with a declaration of William Robinson, the agent who sold the ADD Policy to Emma and Joseph Sr.

There is no change in the judgment.

The petitions for rehearing filed by Fireman's Fund Insurance Company and Insurance Company of the West are denied.

MALLANO, P. J.

ROTHSCHILD, J.